

1 Vanessa R. Waldref
2 United States Attorney
3 Eastern District of Washington
4 Matthew A. Stone
5 Assistant United States Attorney
6 Michael D. Murphy
7 Assistant United States Attorney
8 402 E. Yakima Ave., Suite 210
9 Yakima, WA 98901
10 Telephone: (509) 454-4425
11

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 07 2022

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

12 UNITED STATES DISTRICT COURT
13 FOR THE EASTERN DISTRICT OF WASHINGTON

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 BRANDON KELLY ROOT,

18 Defendant.
19
20
21
22
23
24
25
26

1:22-CR-2063-SMJ

INDICTMENT

Vio.: 18 U.S.C. §§ 1153, 1111
Crime on Indian Reservation
Second Degree Murder
(Counts 1 -2)

18 U.S.C. §§ 1153 and 1112
Crime on Indian Reservation
Involuntary Manslaughter
(Counts 3 - 4)

18 U.S.C. §§ 1153, 113(a)(6)
Crime on Indian Reservation
Assault Resulting in Serious Bodily
(Counts 5 - 6)

27 The Grand Jury charges:
28

COUNT 1

On or about June 11, 2017, in the Eastern District of Washington, within the exterior boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, BRANDON KELLY ROOT, an Indian, unlawfully killed M.G., with malice aforethought, all in violation of 18 U.S.C. §§ 1153, 1111.

COUNT 2

On or about June 11, 2017, in the Eastern District of Washington, within the exterior boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, BRANDON KELLY ROOT, an Indian, unlawfully killed J.C., with malice aforethought, all in violation of 18 U.S.C. §§ 1153, 1111.

COUNT 3

On or about June 11, 2017, in the Eastern District of Washington, within the exterior boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, BRANDON KELLY ROOT, an Indian, unlawfully killed M.G., while in the commission of an unlawful act not amounting to a felony, that is: 1) by operating a vehicle in willful and wanton disregard for the safety of persons and property contrary to Wash. Rev. Code § 46.61.500; and 2) while operating a motor vehicle while under the influence of or affected by alcohol contrary to Wash. Rev. Code § 46.61.502; in that BRANDON KELLY ROOT operated a motor vehicle without due caution and circumspection and with a wanton and reckless disregard of human life, and knew that his conduct imperiled the lives of others and had knowledge of such circumstances as could reasonably be said to have made foreseeable to him the peril for which his acts might subject others, all in violation of 18 U.S.C. §§ 1153, 1112.

COUNT 4

On or about June 11, 2017, in the Eastern District of Washington, within the exterior boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, BRANDON KELLY ROOT, an Indian, unlawfully killed J.C., while in the commission of an unlawful act not amounting to a felony, that is: 1) by operating a vehicle in willful and wanton disregard for the safety of persons and property contrary to Wash. Rev. Code § 46.61.500; and 2) while operating a motor vehicle while under the influence of or affected by alcohol contrary to Wash. Rev. Code § 46.61.502; in that BRANDON KELLY ROOT operated a motor vehicle without due caution and circumspection and with a wanton and reckless disregard of human life, and knew that his conduct imperiled the lives of others and had knowledge of such circumstances as could reasonably be said to have made foreseeable to him the peril for which his acts might subject others, all in violation of 18 U.S.C. §§ 1153, 1112.

COUNT 5


On or about June 11, 2017, in the Eastern District of Washington, within the exterior boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, BRANDON KELLY ROOT, an Indian, willfully assaulted J.A., resulting in serious bodily injury, by driving a vehicle while under the influence of or affected by intoxicating liquor and by driving a vehicle in willful or wanton disregard for the safety of persons or property, all in violation of 18 U.S.C. §§ 1153, 113(a)(6).

COUNT 6

On or about June 11, 2017, in the Eastern District of Washington, within the exterior boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, BRANDON KELLY ROOT, an Indian, willfully assaulted Minor 1, resulting in serious bodily injury, by driving a vehicle while under the influence

1 of or affected by intoxicating liquor and by driving a vehicle in willful or wanton
2 disregard for the safety of persons or property, all in violation of 18 U.S.C. §§
3 1153, 113(a)(6).

4 DATED this 7th day of June, 2022.

5
6
7
8
9
10 
11 Vanessa R. Waldref
12 United States Attorney

13
14 
15 Matthew A. Stone
16 Assistant United States Attorney

17
18 
19 Michael D. Murphy
20 Assistant United States Attorney